

Remarks

Claims 4 and 19 were previously canceled. Claims 1, 8 and 15 are presently amended. Claims 1-3, 5-18 and 20 are pending in this application. The Examiner has rejected claims 1-3, 5-18 and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,282,601 to Goodman et al. (hereinafter "Goodman") in view of U.S. Patent No. 6,938,253 to Kim (hereinafter "Kim"). Applicant respectfully traverses the Examiner's rejections.

A. Remarks Regarding Rejection of Claims 1-3, 5-18, and 20 under 35 U.S.C. § 103(a)

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

The combination of Goodman and Kim fails to teach or suggest all the claim limitations of independent claims 1, 8 and 15. Specifically, the combination fails to teach or suggest that "wherein each processor is operable to access each of the semaphores associated with the processors of the information handling system on a non-exclusive basis," as required by claims 1 and 8, and as similarly required by claim 15. As disclosed in the specification of the present application, a "processor's semaphore may be read or reset by any other processor." (Pub. Spec. at ¶ 22.)

To address this limitation, the Examiner relies on Kim. (*E.g.*, Office Action at 3.) The Examiner states that Kim discloses "[m]ultiple processors with multiple semaphore being

simultaneously transacted.” (*Id.*) Applicants find the phrase “simultaneously transacted” to be unclear. Applicants assume the Examiner is equating the mailboxes found in Kim with the “semaphores” of claim 1. Claim 1 requires that the semaphores indicate “whether the associated processor has exited the interrupt mode.” In contrast, the mailboxes of Kim actually contain a process message (Kim 6:18) and “generate a hardware interrupt signal when the respective mailboxes 70a, 70b are ‘full’” (Kim 6:16-18).

Moreover, Kim does not discuss each of the semaphores being accessible by each of the processors on a non-exclusive basis. Rather, the processors of Kim clear the task message from the mailboxes associated with each processor. (Kim 6:8-9; 6:26-33.) The processors then send signals to each other to notify each other that the mailbox is empty. (Kim 6:26-33.) Thus, the mailboxes of Kim are not “accessible by each of the processors” as required by claim 1. Therefore, for at least these reasons, Kim does not disclose the above referenced limitations.

As Goodman in combination with Kim fails to teach or suggest each and every element of independent claims 1, 8 and 15, Goodman in combination with Kim does not anticipate these claims. Applicant respectfully submits that these independent claims are allowable. Additionally, Applicant submits that dependent claims 2-3, 5-7, 9-14, 16-18 and 20 are allowable, as they depend from otherwise allowable base claims.

B. Remarks Regarding Rejection of Dependent Claims 2-3, 5-7, 9-14, 16-18 and 20 under 35 U.S.C. § 103

The rejection of dependent claims 2-3, 5-7, 9-14, 16-18 and 20 will not be discussed individually herein, as each of these claims depends, either directly or indirectly, from an otherwise allowable base claim.

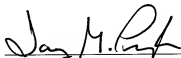
C. No Waiver

All of Applicant's arguments and amendments are without prejudice or disclaimer. Additionally, Applicant has merely discussed example distinctions from the cited references. Other distinctions may exist, and Applicant reserves the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by examiner, Applicant does not acquiesce to examiner's additional statements, such as, for example, any statements relating to what would be obvious to a person of ordinary skill in the art. The example distinctions discussed by Applicant are sufficient to overcome the anticipation rejections. The current amendments to the claims are sufficient to overcome the novelty and obviousness rejections.

Conclusion

Applicant respectfully submits that the pending claims 1-3, 5-18 and 20 of the present invention, as amended, are allowable. Applicant respectfully requests that the rejection of the pending claims be withdrawn and that these claims be passed to issuance.

Respectfully submitted,



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